REMARKS

Claims 1-20 are pending in the present application. Claims 1-20 have been amended.

The Examiner objected to the specification based on several purported informalities. To address the Examiner's concerns the specification has been amended to correct the informalities identified by the Examiner including properly labeling the specification. No new matter has been added.

The Examiner found that the subject matter of this application admits of an illustration. Accordingly, applicant has furnished proposed Figures 1 and 2 which are flow charts illustrating a method of creating a resulting image. No new matter has been added.

Claims 1-20 were rejected under 35 USC 112, first paragraph.

Claims 1-2, 10-12 and 20 were rejected under 35 USC §102(b) as being anticipated by WO97/25690 (*Olsson*).

Claim 3 was rejected under 35 USC section §103(a) as being unpatentable over *Olsson* in view of US Patent 4,701,782 (*Duvent*).

Claims 4-6 were rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,473,368 (*Hart*).

Claim 8 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,282045 (*Mimura*), and in further view of *Dani et al.,* "Automated Assembling of Images: Image Montage Preparation", Pattern Recognition, Volume 28, No. 3, March 1995, pages 431-445 (*Dani*).

Claim 13 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,445,155 (*Sieben*).

Claims 7, 9, 14-17 and 19 are rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of purported well-known prior art.

Claim 16 was rejected under 35 USC §103(a) as being unpatentable of *Olsson* in view of *Hart* and in further view of purported well known prior art.

Claim 18 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of *Hart* and in further view of well-known prior art.

Claims 1-20 were rejected under 35 USC 112, first paragraph. The Examiner asserts that the specification does not explain how plurality recordings can be assembled to form a plurality of resulting images. Applicant respectfully asserts that specification explains how a series of recordings could be assembled to form a plurality of resulting images such that the specification would enable one skilled in the art to make or use the invention. Applicant

respectfully directs the Examiner's attention to Application 09/508847 as filed as for example page 8, lines 11-16; page 12, line 16; page 13, line 17 and page 14, lines 18-21.

The Examiner also objected to claim 8 asserting that it was not understood what was meant by "relative distances". Claim 8 has been amended.

Claims 2-20 were rejected because they depended on an indefinite base claim. Claims 2-20 are not indefinite because as discussed above the specification describes the invention such that one skilled in the art could make and use it.

Claims 1-2, 10-12 and 20 were rejected under 35 USC §102(b) as being anticipated by WO97/25690 (*Olsson*).

Claim 1 is a method for recording and storing optically detectable data of an image comprising the steps of making a plurality of individual recordings of the object with a single camera at various spatial settings with respect to the relative position between the object and the camera without adjusting the camera settings; determining the sharply imaged areas of the individual recordings; and assembling the sharply imaged areas of all the individual recordings to form at least one resulting image. *Olsson* does not teach or suggest a method of recording and storing optically detectable data with all the limitations of claim 1. *Olsson* is a method to achieve increased depth of focus and photography that involves multiple shots using different camera settings. See for example, *Olsson* at page 2, line 4-6; page 1, lines 36-38; page 3, lines 27-28 and page 5, lines 43-45. Thus, it does not teach or suggest a method where the camera settings are not adjusted. Further, the image plane of *Olsson* cannot be equated with the object location. The image plane is the plane where the image is located. For example, the image plane would be the place where a film would be located. It is not where the subject is. See for example *Olsson* page 1 at line 37. Thus, *Olsson* does not teach or suggest moving the camera relative to the object. *Olsson* does not teach or suggest a method for recording and storing optically detectable data including all the limitations of claim 1 including making a plurality of individual recordings of the object with a single camera at various spatial settings with respect to the relative position to the camera without adjusting the camera settings. Accordingly, claim 1 is patentable as are claims 2-20 which depend therefrom.

Claim 3 was rejected under 35 USC section §103(a) as being unpatentable over *Olsson* in view of US Patent 4,701,782 (*Duvent*). Claim 3 depends from claim 1 and thus contains all the limitations of claim 1. As discussed above, *Olsson* does not teach or suggest a method for recording and storing optically detectable data with all the limitations of claim 1 or claim 3. *Duvent* does not make up the deficiency in *Olsson*. *Duvent* is a method for automatically focusing a video pick-up device. It is used when the video camera requires frequent focusing. See for example, *Duvent* at column 1, lines 13-15 and 55-59. Duvent is a method for focusing

a video pickup device and involves frequently adjusting camera settings. Thus, it teaches away from a method where the camera settings are not adjusted. Accordingly, claim 3 is patentable.

Claims 4-6 were rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,473,368 (*Hart*). Claims 4-6 depend from claim 1. Thus, these claims contain all the limitations of claim 1. As discussed above, *Olsson* does not teach or suggest a method for recording and storing optically detectable data with all the limitations of claims 4-6. Accordingly, these claims are patentable. Further, *Hart* does not make up the deficiencies in *Olsson*. *Hart* is a security system which automatically focuses the camera and adjusts the focal length based on a location of an intruder. *Hart* teaches away from a method where the camera settings are not adjusted. Accordingly, *Olsson* alone or in combination with *Hart* does not teach a method for recording and storing an optically detectable data with all the limitations of claims 4-6 including making a plurality of individual recordings of the object with a single camera at various spatial settings with respect to the relative position between the camera without adjusting the camera settings.

Claim 8 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,282045 (*Mimura*), and in further view of *Dani et al.,* "Automated Assembling of Images: Image Montage Preparation", Pattern Recognition, Volume 28, No. 3, March 1995, pages 431-445 (*Dani, et al.*). Claim 8 depends from claim 1. As discussed above, *Olsson* does not teach or suggest a method for recording and storing optically detectable data with all the limitations of claim 1. Thus, *Olsson* does not teach or suggest a method for recording and storing optically detectable data of claim 8. *Mimura* and/or *Dani,* alone or in combination do not make up the deficiencies in *Olsson*. In *Mimura*, the location of the subject does not change; the camera settings change. See for example *Mimura* at column 7, lines 58 to column 8, line 4 and Figures 12 and 13. The image pick-up devices are in the position where the image of the subject is developed. Accordingly, adjusting the position of the image pick-up device is an adjustment or a change in the camera setting. In *Dani,* there is no discussion of the camera settings. However, one using the *Dani* method either corrects for warping and magnification or assumes that there is no warping and that the images are taken at the same magnification. The assumption allows for calculations to be made but does not address the actual camera settings. *Dani* does not teach or suggest maintaining a fixed distance between the camera and the object. Rather, *Dani* teaches making assumptions about the magnification and warping or adjusting for the magnification and warping. Accordingly, *Olsson* alone or in combination with *Mimura* and/or *Dani, et al.,* does not teach or suggest a method with all the limitations of claim 8 and claim 8 is patentable.

Claim 13 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of US Patent 5,445,155 (*Sieben*). Claim 13 depends from claim 1 and thus contains all the limitations of claim 1. For the reasons discussed above *Olsson* does not teach or suggest a method with all the limitations of claim 13. Further, *Sieben* does not make up the deficiencies in *Olsson*. *Sieben* alone or in combinations with *Olsson* does not teach or suggest a method with all the limitations of claim 13. For example, *Sieben* does not teach or suggest a making a plurality of individual recordings of an object with a single camera at various spatial settings with respect to the relative position between the object and the camera without adjusting the camera settings. Accordingly, claim 13 is patentable.

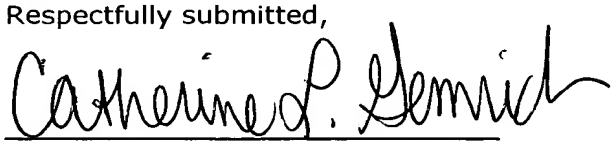
Claims 7, 9, 14-17 and 19 are rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of purported well-known prior art. The Examiner asserts that claims 7, 9, 14-17 and 19 all depend from claim 1 and thus for the reasons discussed above are patentable.

Claim 16 was rejected under 35 USC §103(a) as being unpatentable of *Olsson* in view of *Hart* and in further view of purported well known prior art. Claim 16 depends from claim 1 as discussed above, *Olsson* alone or in combination with *Hart* does not teach or suggest a method for recording and storing optically detectable data with all the limitations of claim 16. Accordingly, claim 16 is patentable.

Claim 18 was rejected under 35 USC §103(a) as being unpatentable over *Olsson* in view of *Hart* and in further view of well-known prior art. Claim 18 depends from claim 1 and thus includes all the limitations of claim 1. As discussed above, *Olsson* alone or in combination with *Hart* does not teach or suggest a method for recording and storing optically detectable data with all the limitations of claim 18. Accordingly, claim 18 is patentable.

Applicant asserts that all of the objections have been obviated and, therefore now respectfully requests withdrawal of the objections, and allowance of the application.

Respectfully submitted,



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